

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
NORTHERN DIVISION**

TERRY FOSTER

PLAINTIFF

v.

CASE NO. 3:20-CV-00135-BSM

**RICK SHIPMAN
CONSTRUCTION, INC.**

DEFENDANT

ORDER

Terry Foster’s motion to reconsider or amend judgment [Doc. No. 36] is denied. *See United States v. Metropolitan St. Louis Sewer Dist.*, 440 F.3d 930, 933 (8th Cir. 2006)(“[a] district court has broad discretion in determining whether to grant or deny a motion to alter or amend judgment pursuant to Rule 59(e)”). Rule 59(e) motions function to correct “manifest errors of law or fact” and cannot be used to tender new legal theories. *Hagerman v. Yukon Energy Corp.*, 839 F.2d 407, 414 (8th Cir. 1988).

IT IS SO ORDERED this 1st day of December, 2021.


UNITED STATES DISTRICT JUDGE